

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Asakawa et al. Art Unit: Unassigned  
Application No.: 09/762641 Examiner: Unassigned  
IA Filing Date: August 10, 1999  
Title: RNA VIRUS VECTOR WITH CONTACT INFILTRATION CAPABILITY

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231  
Attention: Pauletter Kidwell

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS****UNDER 35 U.S.C. §371**

Sir:

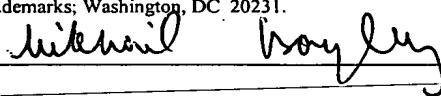
In response to the Notification of Missing Requirements Under 35 U.S.C. §371  
mailed May 15, 2001, enclosed are:

1. A copy of the Notification of Missing Requirements Under 35 U.S.C. §371 (1 page);
2. An executed Combined Declaration & Power of Attorney for Patent Application (2 pages);
3. Power of Attorney by Assignee (2 pages);
4. Recordation and Assignment (3 pages);
5. English translation of the application
6. Petition for a 1 month extension of time;
7. Check in the amount of \$290.00;
8. Verified Statement under 37 CFR §1,821(f) and Sequence Listing;
9. Return Receipt Postcard.

EXPRESS MAIL number: EL617043528US

Date of Deposit July 20, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, Commissioner of Patents and Trademarks; Washington, DC 20231.

  
Mikhail Bayley

In re Application of:

Asakawa et al.

PATENT

Attorney Docket No.: SHIM1100

Application No.: 09/762641

IA Filing Date: August 10, 1999

Page 2

Enclosed is a check in the total amount of \$290.00; which consists of \$65.00 for the surcharge fee for missing requirements of the application, \$130.00 for the translation surcharge, \$55.00 for a one-month extension of time, and \$40.00 for the recordation of assignment document. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,

Date:

7/20/01



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DAH:501355 Name/Number:09762641

FC: 704

\$65.00 CR

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/762641	ASAKAWA M	SHIM1100
INTERNATIONAL APPLICATION NO.		
PCT/JP99/04333		
I.A. FILING DATE	PRIORITY DATE	
10 AUG 99	11 AUG 98	

LISA A HAILE  
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1465 EXECUTIVE DRIVE SUITE 1600  
SAN DIEGO, CA 92121 2189

DATE MAILED

15 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input type="checkbox"/> Copy of the international application.  | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐
- U.S. Basic National Fee.
- ☒
- Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☒ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed:
- ☐
- PCT/DO/EO/917
- ☐
- Notice of Defective Translation
- 
- ☐
- PTO-875
- ☒
- PCT/DO/EO/920

Paulette Kidwell, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3656

GRAYCARY/GT.PATENT

MAY 21 2001

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